

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 5, 2008

DIVISION ONE

B198594 People (Not for Publication)
v.
Jaime Junior Olguin

The judgment is affirmed.

Rothschild, J.

We concur: Vogel (Miriam A.), Acting P.J.
Jackson, J. (Assigned)

B190025 Rex Reginald (Not for Publication)
v.
New Line Cinema Corporation et al.

The judgment is affirmed.

Jackson, J. (Assigned)

We concur: Vogel (Miriam A.), Acting P.J.
Rothschild, J.

DIVISION ONE (continued)

B195958 People
 v.
 Ricardo M. Contreras

Filed order denying petition for rehearing.

DIVISION TWO

B189166 Cal-City Construction, Inc. (Not for Publication)
 v.
 Wilson, Elser, Moskowitz, Edelman & Dicker, LLP

Wilson Elser is entitled to a partial JNOV with respect to the lost profits award of \$1,712,333. The judgment is hereby modified to eliminate the lost profits damages. As modified, the judgment is affirmed.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

B194741 Ryan LeBar (Not for Publication)
 v.
 Cybersocket, Inc.

The judgment is reversed. LeBar is entitled to his costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Chavez, J.

March 5, 2008 (Continued)

DIVISION TWO (continued)

B197796 People (Not for Publication)

V.

Argeni C.

The judgment is affirmed.

Ashmann-Gerst, J.

We concur: Boren, P.J.

Doi Todd, J.

B193714 Valcom, Inc., et al.

V.

Chicago Title Company et al.

Filed order modifying opinion. Petition for rehearing is denied. (Change in judgment)

DIVISION THREE

B196328 People (Not for Publication)

V.

William Murray

The judgment is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.

Kitching, J.

March 5, 2008 (Continued)

DIVISION THREE (continued)

B197527 People (Not for Publication)

V.

Marque D. Fricks

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION FIVE

Court convened at 9:00 a.m.

Present: Turner, P.J., Armstrong, J., Kriegler, J. and D. Nolan, Deputy Clerk.

Each of the following:

B200950 People v. Franklin

B198804 People v. Classon

Argument waived, cause submitted.

B202892 Los Angeles County, D.C.S.

V.

Anthony T.

Merits:

Argued by Joseph T. Tavano for appellant and by Jacklyn Louie, Deputy County Counsel for respondent. Cause submitted.

March 5, 2008 (Continued)

DIVISION FIVE (continued)

B199489 Javier Murillo, et al.
 v.
 Vista Steel Company

Merits:

Argued by Esther R. Sorkin for appellants and by Ian Corzine for respondent. Cause submitted.

Court recessed.

Court reconvened at 9:57 a.m.

Each of the following:

B198280 People v. Early
B196143 People v. Warner
B202569 DCFS v. Christina D.

Argument waived, cause submitted.

B200882 Richard Gillaspay
 v.
 Los Angeles County Fire Dept.

Merits:

Argued by Rae Lamothe for appellant and by John Paul Moorhead for respondent Los Angeles County Fire Department. Halvor Melom for respondent L.A. County Civil Service Commission waives oral argument. Cause submitted.

March 5, 2008 (Continued)

DIVISION FIVE (continued)

B193843 Richard Y.Kim
 v.
 Robert J. McCulloch et al

Merits:

Argued by Robert J. McCulloch for respondent Haedrich and on his own behalf in propria persona. Appellant Richard Kim appears in propria persona and waives argument. Maxine Levowitz appears for respondent Azar-Medr, Avi Burkwitz appears for respondent Farnoosh and Michael Weiss appears for respondent Hamada. Cause submitted.

B195220 Kilpyung Auh
 v.
 Alexander Wang

Merits:

Argued by Vincent Bradley Black for appellant and by Wayne D. Pariser for respondent. Cause submitted.

Court recessed.

Court reconvened at 11:00 a.m.

Present: Armstrong, Acting P.J., Mosk, J., Kriegler, J. and D. Nolan, Deputy Clerk.

Each of the following:

B196988 County of Los Angles v. Ranger Insurance
B202199 DCFS v. Daniel R.
B198077 People v. Walz

Argument waived, cause submitted.

DIVISION FIVE (continued)

B199436 Los Angeles County, D.C.S.
 v.
 Dolores R & Muriah R. (minors).

Merits:

Argued by Aileen Wong, Deputy County Counsel for appellant DCFS, by M. Elizabeth Handy for appellant minors and by Jennifer Mack for respondent. Cause submitted.

B199968 Beverly Belletich
 v.
 Carley LLC, dba Wetzel's Pretzels

Merits:

Argued by Donald S. Lemmer for appellant and by Kenneth M. Stern for respondent. Cause submitted.

B197088 Ivan J. Newman
 v.
 Community Redevelopment Agency, et al

Merits:

Argued by Christopher Sutton for appellant and by June Ailin for respondents. Cause submitted.

Court recessed.

Court reconvened at 1:00 p.m.

Present: Armstrong, Acting P.J., Mosk, J., Kriegler, J. and D. Nolan, Deputy Clerk.

March 5, 2008 (Continued)

DIVISION FIVE (continued)

Each of the following:

B200960	In re Savannah C. (DCFS v. Crystal Z. et al.)
B202829	DCFS v. Dion B.
B199153	People v. Contreras

Argument waived, cause submitted.

B200818 Cynthia Hart
v.
Thomas Hart

Merits:

Argued by Cynthia Hart, appellant in propria persona. No appearance by respondent. Cause submitted.

Court Adjourned.

DIVISION SIX

B198822 People (Not for Publication)
v
Delacerda

The judgment is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.
Coffee, J.

March 5, 2008 (Continued)

DIVISION SIX (continued)

[illegible]

The judgment is affirmed. Costs on appeal are awarded to respondent.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

B196781 The People (Not for Publication)
v.
Merrick

Filed order modifying the opinion (No change in judgment). Appellant's petition for rehearing is denied.

B190373 The People (Not for Publication)
v.
Galante

Filed order modifying the opinion (No change in judgment). Appellant's petition for rehearing is denied.

March 5, 2008 (Continued)

DIVISION SEVEN

B196690 People v. McCoy (Not for Publication)

The judgment is affirmed.

Perluss, P.J.

We concur: Woods, J.
Wiley, J. (Assigned)

B195286 Malibu Broadbeach, L.P., (Not for Publication)
v.
State Farm General Insurance Co., et al.,

The judgment is affirmed. State Farm is to recover its costs on appeal.

Perluss, P.J.

We concur: Zelon, J.
Wiley, J. (Assigned)

DIVISION EIGHT

B193180 People (Not for Publication)
v.
Mireles

The judgment is affirmed.

Cooper, P.J.

We concur: Flier, J.
Egerton, J. (Assigned)

DIVISION EIGHT (continued)

B196751 People (Not for Publication)
v.
Liver C.

The case is remanded to the trial court with directions that: probation condition 15 be modified to add that appellant is not to associate with anyone "known to her" to be disapproved of by her parents or probation officer; probation condition 21 be modified to add that appellant is to stay away from places where "she knows" narcotics users congregate; and to strike the order setting a five-year maximum period of confinement. In all other respects, the judgment is affirmed.

Cooper, P.J.

We concur: Rubin, J.
Flier, J.

B200965 People (Not for Publication)
v.
Kristen William Davis

The appeal is dismissed for appellant's failure to comply with the requirement of obtaining a certificate of probable cause following entry of plea of no contest. (§ 1237.5; *People v. McEwan*, supra, 147 Cal.App.4th at p. 175.)

Rubin, J.

We concur: Cooper, P.J.
Egerton, J. (Assigned)

March 5, 2008 (Continued)

DIVISION EIGHT (continued)

B198837 Los Angeles County, D.C.S. (Not for Publication)
v.
Theresa M. et al.,

The order is affirmed.

Flier, J.

We concur: Cooper, P.J.
 Egerton, J. (Assigned)